

**IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF ALABAMA  
EASTERN DIVISION**

**UNITED STATES OF AMERICA**

**V.**

**MALIK ELAWAD**

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)

**CASE NO:3:05-CR-121-LSC**

**UNOPPOSED MOTION TO CONTINUE SENTENCING**

**COMES NOW** the Defendant, Malik Elawad, by and through undersigned counsel, and moves the Court for a continuance of the sentencing which is currently set for Wednesday, May 24, 2006 at 9:00 a.m., due to the unavailability of necessary witnesses.

1. On April 17, 2006 and April 18, 2006, Mr. Elawad underwent mental health examinations and interviews administered by Dr. Marianne Rosenzweig ("Dr. Rosenzweig"). These exams appear to provide new information concerning Mr. Elawad's mental and emotional state at the approximate time of the charged offense.

2. To fully understand the implications of the information acquired, Dr. Rosenzweig is completing additional interviews with Mr. Elawad's family members, former teachers, and friends. Dr. Rosenzweig intends to elicit testimony from Dr. Rosenzweig on the day of sentencing.

3. However, the completion of Dr. Rosenzweig's work on this matter has been delayed due to obligations she has in other legal matters. Dr. Rosenzweig is currently out of the state and unable to work on her report for this case. Further, she will be in trial in Mobile, Alabama on Wednesday, May 24, 2006. Dr. Rosenzweig will need to be on site in

**MOTION GRANTED**

THIS 12th DAY OF MAY, 2006

/s/ L. Scott Coogler

**UNITED STATES DISTRICT JUDGE**